

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

<b>EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,</b>	§	
	§	
<b>Plaintiff,</b>	§	
	§	
<b>v.</b>	§	
	§	<b>Civil Action No. A-09-CA-707-SS</b>
<b>GARDEN RIDGE CORPORATION,</b>	§	
	§	
<b>Defendant.</b>	§	
	§	

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**JOINT ALTERNATIVE DISPUTE RESOLUTION REPORT**

NOW COME Plaintiff, Equal Employment Opportunity Commission (“Plaintiff”), and Defendant, Garden Ridge Corporation (“Defendant”) to file their Joint Alternative Dispute Resolution Report pursuant to Local Rule CV-88 and the Court’s Scheduling Order dated January 25, 2010. In support of such Report, the parties would respectfully show the Court the following:

**I. STATUS OF SETTLEMENT NEGOTIATIONS**

Prior to the filing of this lawsuit, the parties attempted unsuccessfully to conciliate the charge underlying this action. The Plaintiff will make an offer of settlement to Defendant no later than March 1, 2010, pursuant to the Court’s Scheduling Order. Defendant will submit a response and/or counter-proposal to the Plaintiff no later than March 11, 2010. The parties will continue their efforts, as possible and consistent with the full representation of their clients, to resolve this lawsuit without resort to costly litigation.

**II. IDENTITY OF PERSONS RESPONSIBLE  
FOR SETTLEMENT NEGOTIATIONS**

The person responsible for settlement negotiations for Plaintiff, the Regional Attorney of

the Dallas District Office, Robert A. Canino, has been delegated full authority by the EEOC's Office of General Counsel to negotiate a settlement in this case. The Trial Attorney assigned to the case, Patrick M. Connor, is responsible for the day-to-day settlement negotiations and has been delegated settlement authority by the Regional Attorney for the purposes of mediation or court-ordered settlement conferences.

The persons responsible for settlement negotiations for Defendant are Paul E. Hash and Kristin L. Bauer, Defendant's attorneys of record.

### **III. APPROPRIATENESS OF ALTERNATIVE DISPUTE RESOLUTION**

The parties believe that they can engage in good-faith efforts to resolve this dispute between them with the possibility of early resolution of the subject litigation. Should those efforts fail, the parties are amenable to participate in alternative dispute resolution in the form of non-binding mediation, if the effort is believed to have a reasonable opportunity for success. Selection of a mediator and a date for mediation should be by agreement of the parties.

### **IV. CERTIFICATION OF COUNSEL**

Counsel for Plaintiff and Defendant certify that Plaintiff and Defendant have, by their respective counsel, been informed of the ADR procedures available in this district.

Respectfully submitted,

#### **ATTORNEYS FOR DEFENDANT**

/s/ Paul E. Hash w/permission  
by Patrick M. Connor  
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